

2008 NOV -4 PM 4: 10

Docket No.: 0210-0190PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Shingo HIRAMATSU et al.

Application No.: 10/506,327

Confirmation No.: 1247

Filed: September 2, 2004

Art Unit: 1633

For: PRODUCTION OF PHYSIOLOGICALLY  
ACTIVE PROTEINS USING GENE  
RECOMBINANT SILKWORMS

Examiner: F. G. Sajjadi

**REQUEST FOR REFUND**  
**(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

MS 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of October 2008 for the above-identified

☒ application

☐ patent

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

12012

Application No.: 10/506,327

Docket No.: 0210-0190PUS1

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> search fee	_____
<input type="checkbox"/> examination fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input checked="" type="checkbox"/> excess claims	<u>\$100</u>
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____

Application No.: 10/506,327

Docket No.: 0210-0190PUS1

- ☐ patent maintenance fee \_\_\_\_\_
- ☐ first maintenance fee \_\_\_\_\_
- ☐ second maintenance fee \_\_\_\_\_
- ☐ third maintenance fee \_\_\_\_\_
- ☐ patent maintenance fee surcharge \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

TOTAL REFUND REQUESTED

\$100

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

We filed an Amendment on September 29, 2008, in which the total claim count was 74, and the independent claim count was 5. However, we previously paid for 91 total claims and 6 independent claims in previous filings. Therefore, the additional \$100 claim fee was in error. If the USPTO believes that the claim fee is still proper, we kindly ask that the USPTO send a detailed calculation as to why the fee is necessary.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Application No.: 10/506,327

Docket No.: 0210-0190PUS1

Dated: NOV 3 2008

Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**  
**Oct 2008 Deposit Account Reconciliation**



27-Oct	10506327	0210-0190PUS1	1202	DAC	\$100.00
--------	----------	---------------	------	-----	----------

Document code: WFEE

United States Patent and Trademark Office  
Sales Receipt for Accounting Date: 10/27/2008

VROGERS SALE #00000003 Mailroom Dt: 09/29/2008 022448 10506327  
01 FC : 1202 100.00 DA

Adjustment date: 11/12/2008 SDIRETA1  
10/27/2008 VROGERS 00000003 022448 10506327  
01 FC:1202 100.00 CR